

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DATATERN, INC.,

Plaintiff,

v.

STAPLES, INC., et al.,

Defendants.

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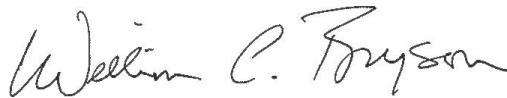
CIVIL ACTION NO. 2:10-CV-133-WCB

ORDER

Before the Court is the Joint Stipulation of Dismissal between plaintiff DataTern, Inc., and defendants J.C. Penney Company, Inc., and J.C. Penney Corporation, Inc. (collectively, “J.C. Penney”). Dkt. No. 278. The Court GRANTS the dismissal. All claims of DataTern in this action are dismissed with prejudice, and all counterclaims of J.C. Penney in this action are dismissed without prejudice. All attorneys’ fees and costs are to be borne by the party that incurred them.

It is SO ORDERED.

SIGNED this 24th day of December, 2014.



WILLIAM C. BRYSON
UNITED STATES CIRCUIT JUDGE